

REMARKS

This is a response to the office action mailed May 3, 2005.

The examiner objected to claims 10, 12 and 17 concerning corrections. These corrections have been made.

The examiner rejected claims 1-12 under 35 U.S.C. 102(e) as being anticipated by Ross. While Ross teaches blocking location in certain geographic zones, Ross does not teach blocking location determination in all zones for a period of time determined by the user.

The examiner rejected claims 1, 4, 6-12 under 35 U.S.C. 102(e) as being anticipated by Herle et al. Herle et al. do not teach a user being able to block location determination.

The examiner rejected claims 13 and 17-19 under 35 U.S.C. 102(e) as being anticipated by Kaiwa. Kaiwa does not teach a user being able to block location determination.

The examiner rejected claim 14 under 35 U.S.C. 103(a) as being unpatentable over Kaiwa and claims 15-16 as being unpatentable over Kaiwa in view of Herle. The examiner took official notice that "returning an error message is well known if a location cannot be determined for any reason". Kaiwa and Herle do not suggest a user placing the telephone in a privacy mode where location determination is blocked. None of the references mention any type of error messages whatsoever. Position location systems may contain error recovery software where many different actions are possible when a particular command cannot complete. It is not obvious to a person of ordinary skill in the art that a error message would be necessarily be sent; some other type of error recovery might take place.

Herle in paragraph 0036, as cited by the examiner, does not teach a user blocking position location, but rather teaches authentication before determining location. If the mobile unit can be authenticated by encryption means as being the correct unit, Herle always performs location.

For the above reasons, the examiner will find that the claims are now allowable. The examiner is respectfully requested to place the case in condition for allowance at his earliest convenience.

Respectfully submitted

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Date: *AUG. 2, 2005*